

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 77-53

WASTE DISCHARGE REQUIREMENTS FOR:

MR. CARL BENNETT, RODEO MARINA
RODEO, CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

1. Mr. Carl Bennett (hereinafter called the discharger) submitted a Report of Waste Discharge dated January 14, 1977 for dredging of Rodeo Marina.
2. The discharger proposes to dredge approximately 10,000 cubic yards per year to a total of 100,000 cubic yards during a period of ten years at the Rodeo Marina. An area of approximately 260,000 square feet will be dredged to a depth of approximately six (6) feet below mean lower low water (MLLW). The dredge spoils are proposed to be disposed of at San Francisco Disposal Site No. 9 at Carquinez Strait. Dredging will be performed by hydraulic suction dredge, loading the dredge spoils onto a barge. Return flow from the barge is estimated at 1,000 gallons per minute.
3. The Board adopted Resolution No. 72-15 in November 1972 containing an interim policy for the regulation of dredged spoil disposal. Pursuant to this Resolution, disposal of the dredged spoil would be allowable only at the Alcatraz disposal site because analyses of sediment core samples indicate that the concentration of cadmium is above the concentration considered unpolluted according to the November 1975 Environmental Protection Agency Interim Dredge Spoil Criteria.
4. In Provision A.2.b of Resolution 72-15 the Regional Board stated its intent to determine the appropriate aquatic disposal location for polluted sediments on a case-by-case basis.
5. The Board adopted a Water Quality Control Plan for the San Francisco Bay Basin in April 1975 containing water quality objectives for the Carquinez Straits.

6. The beneficial uses of the Carquinez Straits, San Pablo Bay, and contiguous waters as set forth in the Basin Plan are:

Industrial and Agricultural Supply
Recreation, including Swimming
Fish Habitat and Migration
Marine Habitat
Navigation
Esthetic Enjoyment

7. The discharger has requested a variance from the disposal location required under the EPA Dredge Spoil Criteria and this Board's Resolution No. 72-15.
8. The discharger has submitted information to support a variance from this Board Policy with respect to disposal of polluted spoils based upon: the claim that land disposal is not feasible, economic hardship, and additional funds are not available to allow the maintenance dredging to proceed resulting in the closure of the marina and related facilities.
9. Information provided by Mr. Bennett indicates that disposal of spoils at the Alcatraz site or land is not economically feasible having a probable impact of closing the Rodeo Marina.
10. The Board has permitted other far larger dredging project variances from its "Dredging Policy" based on economic and social impacts.
11. The Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for this discharge and has provided them an opportunity for a public meeting and an opportunity to submit their written views and recommendations.
12. This Board in a public meeting heard and considered comments pertaining to the discharge and the requirements prescribed herein.

IT IS HEREBY ORDERED, Mr. Carl Bennett-Rodeo Marina shall comply with the following:

A. Receiving Water Limitations

1. The dredging, treatment or disposal of waste shall not create a nuisance as defined in Section 13050(m) of the California Water Code.
2. The dredging or discharge from the barge shall not cause the following conditions in waters of the State adjacent to the Marina:
 - a. Visible, floating, suspended or deposited oil or other products of petroleum origin.
 - b. Waters of the State to exceed the following limits of quality:

Dissolved Oxygen	5.0 mg/l, minimum Annual median - 80% saturation
Dissolved Sulfide	0.1 mg/l maximum
Other substances	Any one or more substances in concentrations that impair any of the protected beneficial water uses.

B. Discharge Prohibitions

1. The discharge of return flow from the barge is prohibited except to waters within the Marina.
2. The disposal of dredge spoils is prohibited except at disposal site No. 9 at Carquinez Strait.

C. Provisions

1. The discharger shall comply with all sections of this Order immediately upon commencement of dredging and disposal operations.
2. Dredging operations shall cease immediately whenever violations of requirements are detected by the self-monitoring program and operations shall not resume until alternative methods of compliance are provided.
3. Continued dredging operations under this Order shall be subject to reevaluation of sediment constituents in accordance with the provisions of State Certification.
4. The discharger shall file with the Board technical reports on self-monitoring work performed according to the detailed specifications contained in any Monitoring and Reporting Program as directed by the Executive Officer.
5. The discharger shall file with the Board a report of waste discharge at least 120 days before making any material or proposed change in the character, location or volume of dredged material and/or its disposal.
6. This Order includes items numbered 1, 4, 5, 7, 8, and 10 of the attached "Standard Provisions," dated November 20, 1974.
7. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the existence of this Order by a letter, a copy of which shall be forwarded to this Board.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 17, 1977.

Attachments:

Standard Provisions 11/20/74
Self-Monitoring Program

FRED H. DIERKER
Executive Officer

SELF-MONITORING PROGRAM
FOR

MR. CARL BENNETT~
RODEO MARINA
CONTRA COSTA COUNTY

A. GENERAL

Reporting responsibilities of waste dischargers are specified in Sections 13225(a), 13267(b), 13268, 13383, and 13387(b) of the California Water Code and this Regional Board's Resolution No. 73-16.

The principal purposes of a monitoring program by a waste discharger, also referred to as a self-monitoring program, are:

1. To document compliance with waste discharge requirements and prohibitions established by this Regional Board,
2. To facilitate self-policing by the waste discharger in the prevention and abatement of pollution arising from waste discharge,
3. To develop or assist in the development of effluent or other limitations, discharge prohibitions, national standards of performance, pretreatment and toxicity standards, and other standards, and
4. To prepare water and wastewater quality inventories.

B. MONITORING PROGRAM - RECEIVING WATER STATIONS AND SAMPLING FREQUENCY

<u>1. Station</u>	<u>Description</u>
C-1	At a point in San Francisco Bay approximately 50 feet from the main entrance to the Marina and perpendicular to the breakwater.

Grab samples of the above station shall be collected at least weekly during dredging and analyzed for the following:

Dissolved Sulfide*
Dissolved Oxygen
Standard Observations, including:

- a. Floating and suspended material of waste origin, (to include oil, grease, algae, and other macroscopic particulate matter) presence or absence, source, and size of affected area.

*Sulfide analyses are to be conducted at those sampling points where the dissolved oxygen ≤ 5 mg/l.

- b. Discoloration and turbidity: description of color, source, and size of affected area.
- c. Odor: presence or absence, characterization, source, and distance of travel.
- d. Time and height of low tides corrected to nearest location for the sampling date and time of sample and collection.
- e. Water and sampling depths.

C. REPORTS TO BE FILED WITH THE REGIONAL BOARD

- 1. Report by telephone the scheduled date of commencement of dredging at least 5 working days prior to commencement.

2. Violations of Requirements

In the event the discharger is unable to comply with the conditions of the waste discharge requirements and prohibitions due to:

- (a) Maintenance work, power failure, or breakdown of waste treatment equipment, or
- (b) Accidents caused by human error or negligence, or
- (c) Other causes, such as acts of nature,

the discharger shall notify the Regional Board Office by telephone as soon as he or his agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written report shall include pertinent information explaining reasons for the non-compliance and shall indicate what steps were taken to prevent the problem from recurring.

3. Self-Monitoring Reports

Written reports shall be filed regularly for each calendar month ~~that dredging has occurred~~ by the fifteenth day of the following month. The reports shall be in letter form, and shall specifically cover each point in the Monitoring Program (Part B). Any violations shall be clearly identified, and actions taken or planned for correcting violations shall be included. Monitoring reports shall be signed:

- (a) In the case of corporations, by a principal executive officer at least at the level of vice-president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the discharge originates, or
- (b) In the case of a partnership, by a general partner, or

(c) In the case of a sole proprietorship, by the proprietor.

The letter shall contain a statement by the official, under penalty of perjury, that to the best of the signer's knowledge the report is true and correct.

I, Fred H. Dierker, Executive Officer, hereby certify that the foregoing Self-Monitoring Program:

1. Has been developed in accordance with the procedure set forth in this Regional Board's Resolution No. 73-16 in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 77-53.
2. Has been ordered by the Executive Officer on **May 17, 1977**, and becomes effective immediately.
3. May be reviewed at any time subsequent to the effective date upon written notice from the Executive Officer or request from the discharger and revisions will be ordered by the Executive Officer.

FRED H. DIERKER
Executive Officer